

FIDUCIARY BOARD

Meeting Agenda – Thursday, July 11, 2019

Arizona Supreme Court -1501 West Washington Street

Phoenix, Arizona 85007 - 10:30 A.M. Conference Room 109

General Inquiries Call: 602-452-3378 (Certification and Licensing Division Line)

Members of the public may attend meeting in person.

For any item listed on the agenda, the Board may vote to go into Executive Session for advice of counsel and/or to discuss records and information exempt by law or rule from public inspection, pursuant to the Arizona Code of Judicial Administration, Code Section 1-202(C).

CALL TO ORDER*Deborah Primock, Chair*

1) REVIEW AND APPROVAL OF MINUTES.....*Deborah Primock, Chair*

1-A: Review, discussion and possible action regarding the regular session minutes of the meeting held on May 9, 2019.

2) PENDING COMPLAINTS.....*Division Staff*

2-A: Review, discussion and possible action regarding complaint number 18-0001 involving license holder Katrice Thompson.

2-B: Review, discussion and possible action regarding complaint number 18-0057 involving license holder Mohave County Public Fiduciary.

2-C: Review, discussion and possible action regarding Final Order in complaint number 18-0037 involving license holder Yvonne Stallings.

3) INITIAL LICENSURE AND ELIGIBILITY.....*Division Staff*

3-A: Review, discussion and possible action regarding the following applications for initial individual and business licensure:

- 1. Julee Pierson*
- 2. Sheild Fiduciary Services, LLC*
- 3. Eli Guiterman*
- 4. Heather Brower*
- 5. Adela Valenzuela*
- 6. Tanya Malos*

4) RENEWAL CERTIFICATION APPLICATIONS.....*Division Staff*

4-A: Review, discussion and possible action regarding the following applications for renewal of individual and/or business entity licensure:

1. Teresa Lancaster
2. Jennifer Leitch
3. Valerie Mills

CALL TO THE PUBLIC*Deborah Primock, Chair*

ADJOURN*Deborah Primock, Chair*

FIDUCIARY BOARD

Agenda Summary – Thursday, July 11, 2019

1) REVIEW AND APPROVAL OF MINUTES

1-A: Review, discussion and possible action regarding the regular session minutes of the meeting held on May 9, 2019.

A draft of the regular session minutes for the meeting of May 9, 2019, has been provided for the Board's review and consideration.

FIDUCIARY BOARD

Agenda Summary – Thursday, July 11, 2019

2) PENDING COMPLAINTS

2-A: Review, discussion and possible action regarding complaint number 18-0001 involving license holder Katrice Thompson.

On January 10, 2018, Division received a complaint detailing the misappropriation of funds by Katrice Thompson. Initially, the complaint described the theft of approximately \$1,500 from vulnerable individuals. Further investigation by Ms. Thomson's employer and by the Phoenix Police Department determined the theft to be in the approximate amount of \$120,000.

Documents provided by Ms. Thompson's employer indicate Ms. Thompson began her illicit activities in December 2016 continuing until her discovery in early January 2018. In addition to other activities, there were numerous reoccurring charges for Ms. Thompsons' "Netflix," "AT&T," "LA Fitness" and "Cox" bills along with numerous payments to her husbands' company.

Division staff submitted the investigation to the Probable Cause Evaluator who determined that probable cause existed that Katrice Thompson violated ACJA §§ 7-202(J)(2)(a) and A.R.S. 13-1802(A)(2). Staff also believes Ms. Thompson violated ACJA §§ 7-201(E)(2)(c)(2)(ii) and (iii). Staff recommends the Board accept the findings of the Probable Cause Evaluator and find Ms. Thompson violated ACJA §§ 7-202(J)(2)(a) and A.R.S. 13-1802(A)(2). Staff further recommends the Board find Ms. Thompson violated ACJA §§ 7-201(E)(2)(c)(2)(ii) and (iii). Staff recommends the Board revoke Ms. Thompson's fiduciary license.

FIDUCIARY BOARD

Agenda Summary – Thursday, July 11, 2019

2) PENDING COMPLAINTS

2-B: Review, discussion and possible action regarding complaint number 18-0057 involving license holder Mohave County Public Fiduciary.

Complainant, a social worker at Kingman Regional Medical Center, alleged that the Mohave County Public Fiduciary failed to fulfil its fiduciary duties by refusing to file a Petition for Guardianship for a perceived incapacitated adult while being treated in the Kingman Regional Medical Center in Kingman, Arizona.

Mohave County Public Fiduciary, in response to the referral, took action by reviewing the request of the complainant, sent two members of its staff to interview and assess the adult after release from the hospital, and deemed her to have capacity to take care of herself without intervention on their behalf by filing a Petition for Guardianship.

Staff presented this complaint and the investigation to the Probable Cause Evaluator who determined that probable cause did not exist.

It is recommended that the Board accept the findings of the Probable Cause Evaluator and dismiss complaint number 18-0057.

FIDUCIARY BOARD

Agenda Summary – Thursday, July 11, 2019

2) PENDING COMPLAINTS

2-C: Review, discussion and possible action regarding Final Order in complaint number 18-0037 involving license holder Yvonne Stallings.

On May 9, 2019, the Board voted to revoke the license of Yvonne Stallings based on the information presented by Division staff and detailed in the Investigation Summary and Probable Cause Analysis and Determination Report.

On June 22, 2019, a Notice of Formal Statement of Charges was served on Ms. Stallings and she has not filed a request for hearing.

Staff recommends the Board find Ms. Stallings in default and enter a Final Order revoking the licensure of Yvonne Stallings.

FIDUCIARY BOARD

Agenda Summary – Thursday, July 11, 2019

3) INITIAL LICENSURE AND ELIGIBILITY

3-A: Review, discussion and possible action regarding the following application for initial individual and business licensure:

1. Julee Pierson applied for initial individual licensure. The applicant has submitted a completed application demonstrating she meets the minimum eligibility requirements for licensure. No information has been presented or obtained during the background check which would preclude licensure. The applicant has completed the required fiduciary professional training.

The Division recommends approval of initial individual fiduciary licensure for Julee Pierson.

2. Shield Fiduciary Services, LLC, through its principal, Gregory Poulos, Esq., license # 20890, applied for business entity licensure. Mr. Poulos is the principle and is a licensed and practicing attorney in Arizona since 2007 with no disciplinary history and was approved by the Board for individual licensure on May 9, 2019.

The Division recommends approval of initial business licensure for Shield Fiduciary Services LLC.

3. Eli Guiterman, Esq. applied for initial fiduciary licensure. The applicant has submitted a completed application demonstrating he meets the minimum eligibility requirements for licensure. The applicant has completed the required fiduciary professional training.

Applicant disclosed he is a practicing attorney in the Tucson area, and prior, had practiced in the state of New Hampshire. Also disclosed was a termination from a New Hampshire law firm in 2002, a personal civil suit related to a traffic collision in Maryland and being a named party in numerous civil suits as a court appointed Fiduciary in the District of Columbia Superior Court Probate Division.

Applicant disclosed that in 1998 he was arrested for disorderly conduct. Charges were dismissed after he agreed to pay the court costs of \$50.00.

The applicant was also contacted during the background check and he confirmed the above and he had no other issues. Division lastly contacted the State Bar of New Hampshire and confirmed applicant's status is inactive with no disciplinary history.

The Division recommends approval of initial individual fiduciary licensure for Eli Guiterman.

4. Heather Brower applied for initial fiduciary licensure. The applicant has submitted a completed application demonstrating she meets the minimum eligibility requirements for

licensure. No information has been presented or obtained during the background check which would preclude licensure. The applicant has completed the fiduciary professional training. Ms. Brower holds a JD degree from Summit Law School and is a licensed attorney in the State of Minnesota in good standing with no discipline. Ms. Brower is not licensed in Arizona. Ms. Brower also disclosed a 2010 dissolution of marriage filed in Maricopa County Superior Court.

Division verified that applicant has been employed since 2015 as a paralegal at Copeland Law Offices PLLC in Glendale, Arizona.

The Division recommends approval of initial individual fiduciary licensure for Heather Brower with standard JD language.

5. Adela Valenzuela applied for initial fiduciary licensure. The applicant has submitted a completed application demonstrating she meets the minimum eligibility requirements for licensure. No information has been presented or obtained during the background check which would preclude licensure. The applicant has completed the fiduciary professional training.

The Division verified Ms. Valenzuela's employment through the Public Fiduciary, Tiffany Poarch, as a finance specialist for the Office of the Gila County Public Fiduciary and has been so employed for approximately four years.

Ms Valenzuela disclosed a Pinal County 2013 default judgement matter that has since been satisfied with the plaintiff. Applicant also disclosed a 2009 family court matter DO200900069 wherein applicant and her husband filed for rightful grandparent visitation of their grandson.

The Division recommends approval of initial individual fiduciary licensure for Adela Valenzuela.

6. Tanya Malos – Division staff will present information and recommendation at the meeting.

FIDUCIARY BOARD

Agenda Summary – Thursday, July 11, 2019

4) RENEWAL CERTIFICATION APPLICATIONS

4-A: Review, discussion and possible action regarding the following applications for renewal of individual and/or business entity Fiduciary certification:

The following individual license holders have submitted applications for renewal of standard licensure. The applications are complete, no information has been presented during a background review which is contrary to renewal of standard licensure being granted and the license holders have demonstrated they meet the minimum eligibility requirements for renewal of standard licensure. It is recommended renewal of standard licensure be granted to the following individuals:

1. Teresa Lancaster
2. Jennifer Leitch
3. Valerie Mills